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**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

In re:

PG&E CORPORATION,

- and -

PACIFIC GAS AND ELECTRIC COMPANY,

Debtors.

- ☐ Affects PG&E Corporation
☐ Affects Pacific Gas and Electric Company
☒ Affects both Debtors

** All papers shall be filed in the Lead Case,
No. 19-30088 (DM).*

Case No. 19-30088 (DM)
Chapter 11
(Lead Case)
(Jointly Administered)

**STIPULATION PERMITTING
PATRICK MCCAFFREY, SALLY
MCCAFFREY, AND THE
MCCAFFREY FAMILY TRUST TO
AMEND PREVIOUSLY FILED
PROOF OF CLAIM**

[Related to Dkt. Nos. 8390-91]

Resolving Motion set for Hearing on
August 4, 2020 at 10:00 am PT

PG&E Corporation (“**PG&E Corp.**”) and Pacific Gas and Electric Company (the “**Utility**”), as reorganized debtors (collectively, the “**Debtors**” and as reorganized pursuant to the Plan (as defined below), the “**Reorganized Debtors**”) in the above-captioned cases (the “**Chapter 11 Cases**”), on the one hand, and Patrick McCaffrey, Sally McCaffrey, and the McCaffrey Family Trust (“**Movants**”), on the other hand, by and through their respective counsel, hereby submit this stipulation (the “**Stipulation**”) for an order permitting Movants to amend a previously filed proof of claim in the Chapter 11 Cases as set forth herein. The Reorganized Debtors and Movants are referred to in this Stipulation collectively as the “Parties,” and each as a “Party.” The Parties hereby stipulate and agree as follows:

RECITALS

A. On January 29, 2019 (the “**Petition Date**”), the Debtors commenced these Chapter 11 Cases in the United States Bankruptcy Court for the Northern District of California (the “**Bankruptcy Court**”).

B. By Order dated July 1, 2019 [Docket No. 2806] (the “**Bar Date Order**”), the Bankruptcy Court set October 21, 2019 at 5:00 p.m. (Prevailing Pacific Time) (the “**Original Bar Date**”) as the deadline in these Chapter 11 Cases for filing proofs of claim in respect of any of prepetition claim (as defined in section 101(5) of the Bankruptcy Code) against either of the Debtors, including all claims of Fire Claimants,¹ Wildfire Subrogation Claimants, Governmental Units (as defined in section 101(27) of the Bankruptcy Code), and Customers, and for the avoidance of doubt, including all secured claims and priority claims.

C. By Order dated November 11, 2019, the Bankruptcy Court extended the Bar Date until December 31, 2019 at 5:00 p.m. (Prevailing Pacific Time), solely for the benefit of any non-governmental Fire Claimants who had not filed proofs of claim by the Original Bar Date.

D. By Order dated June 20, 2020 [Dkt. No. 8053] the Bankruptcy Court confirmed the *Debtors’ and Shareholder Proponents’ Joint Chapter 11 Plan of Reorganization Dated June 19,*

¹ Capitalized terms used but not otherwise herein defined have the meanings ascribed to such terms in the Bar Date Order or the Plan (as defined below), as applicable.

2020 (as may be further modified, amended or supplemented from time to time, and together with any exhibits or scheduled thereto, the “**Plan**”). The Effective Date of the Plan occurred on July 1, 2020. See Dkt. No. 8252.

E. On August 27, 2019, Sally McCaffrey filed Proof of Claim No. 8413 (the “**Original Proof of Claim**”), on account of damages she and Patrick McCaffrey allegedly sustained as a result of the Camp Fire (the “**Asserted Claim**”).

F. On July 14, 2020, Movants filed the *Motion Pursuant to Fed. R. Bankr. Proc. 7015 and 7017 for an Order Deeming Proposed Amended Claim to Relate Back/or Pursuant to Fed. R. Bankr. P. 9006(b)(1) to Enlarge the Time for Patrick McCaffrey, Sally McCaffrey and the McCaffrey Family Trust to File Proof of Claim* [Dkt. No. 8390] (the “**Motion**”), in which Movants assert they should be permitted to amend the Original Proof of Claim solely to add the McCaffrey Family Trust as an additional claimant. The Motion is set for hearing on August 4, 2020 (the “**Hearing**”). See Dkt. No. 8391.

G. The Reorganized Debtors have raised with Movants certain informal objections to the relief requested in the Motion.

H. The Fire Victim Trustee has reviewed the Stipulation and, based on the facts presented in the Motion, has no objection to the agreements set forth herein or to entry of an Order approving the terms of the Stipulation.

I. The Parties hereto desire to resolve their issues regarding the Motion.

NOW, THEREFORE, UPON THE FOREGOING RECITALS, WHICH ARE INCORPORATED AS THOUGH FULLY SET FORTH HEREIN, IT HEREBY IS STIPULATED AND AGREED, BY AND BETWEEN THE PARTIES, THROUGH THE UNDERSIGNED, AND THE PARTIES JOINTLY REQUEST THE BANKRUPTCY COURT TO ORDER, THAT:

1. Movants shall be permitted to amend the Original Proof of Claim solely to add the McCaffrey Family Trust as an additional claimant on the condition that such amended proof of claim (the “**Amended Proof of Claim**”) shall be filed no later than seven (7) days after the entry of any Order approving the terms of this Stipulation.

2. Nothing herein is intended to, nor shall it be construed to be, a waiver by the Debtors or the Reorganized Debtors, as applicable, or any other party in interest of any right to (i) object to

1 the Asserted Claim or the Amended Proof of Claim on any grounds other than the untimely filing
2 thereof, or (ii) seek to reclassify the Amended Proof of Claim.

3 3. Nothing herein is intended to, nor shall it be construed to be, a waiver by Movants of
4 their right to seek to reclassify the Amended Proof of Claim or to assert any other right in
5 contravention to or in opposition of any asserted challenge to the Amended Proof of Claim.

6 4. Upon the timely filing of the Amended Proof of Claim pursuant to paragraph 1 of this
7 Stipulation, the Original Proof of Claim shall be deemed expunged, and Prime Clerk LLC, the
8 claims agent appointed in the Chapter 11 Cases, shall be authorized to update the official claims
9 register to reflect the terms set forth herein.

10 5. Upon entry of an Order approving the terms of this Stipulation, the Motion shall be
11 deemed withdrawn with prejudice, and the Hearing vacated.

12 6. In the event that the terms of this Stipulation are not approved by the Bankruptcy
13 Court, it shall be null and void and have no force or effect and the Parties agree that, in such
14 circumstances, this Stipulation shall be of no evidentiary value whatsoever in any proceedings.

15 7. This Stipulation shall be binding on the Parties and each of their successors in
16 interest.

17 8. This Stipulation shall constitute the entire agreement and understanding of the Parties
18 relating to the subject matter hereof and supersede all prior agreements and understandings relating
19 to the subject matter hereof.

20 9. This Stipulation may be executed in counterparts, each of which shall be deemed an
21 original but all of which together shall constitute one and the same agreement.

22 10. The Bankruptcy Court shall retain jurisdiction to resolve any disputes or
23 controversies arising from this Stipulation or any Order approving the terms of this Stipulation.

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Dated: July 24, 2020

WEIL GOTSHAL & MANGES LLP

/s/ Matthew Goren
Matthew Goren, Esq.

*Attorneys for Debtors
and Reorganized Debtors*

Dated: July 24, 2020

DOWNEY BRAND LLP

/s/ Jamie P. Dreher
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McCaffrey, and the McCaffrey Family Trust*

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